

MESSAGE NO: 8116205

MESSAGE DATE: 04/25/2008

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-552-804, A-570-894

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 09/05/2006

TO

04/22/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY AFFIRMATIVE DETERMINATION OF CIRCUMVENTION OF AD DUTY  
ORDER ON TISSUE PAPER PRODUCTS FROM CHINA (A-570-894) & VIETNAM (A-552-804)  
CASH/CERTIFICATE

MESSAGE NO: 8116205

DATE: 04 25 2008

CATEGORY: ADA

TYPE: ADM

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 894

A - 552 - 804

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PERIOD COVERED: 09 05 2006 TO 04 22 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIMINARY AFFIRMATIVE DETERMINATION OF CIRCUMVENTION  
OF AD DUTY ORDER ON TISSUE PAPER PRODUCTS FROM CHINA  
(A-570-894) & VIETNAM (A-552-804) CASH/CERTIFICATE

1. ON APRIL 22, 2008, THE DEPARTMENT OF COMMERCE ("COMMERCE")  
PUBLISHED IN THE FEDERAL REGISTER ITS NOTICE OF AN AFFIRMATIVE  
DETERMINATION OF CIRCUMVENTION OF THE ANITDUMPING DUTY ORDER ON  
CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF  
CHINA ("CHINA") (73 FR 21580).

2. SCOPE OF THE ANITDUMPING DUTY ORDER

THE TISSUE PAPER PRODUCTS SUBJECT TO THIS ANTIDUMPING DUTY ORDER ARE CUT-TO-LENGTH SHEETS OF TISSUE PAPER HAVING A BASIS WEIGHT NOT EXCEEDING 29 GRAMS PER SQUARE METER. TISSUE PAPER PRODUCTS SUBJECT TO THIS ORDER MAY OR MAY NOT BE BLEACHED, DYE-COLORED, SURFACE-COLORED, GLAZED, SURFACE DECORATED OR PRINTED, SEQUINED, CRINKLED, EMBOSSED, AND/OR DIE CUT. THE TISSUE PAPER SUBJECT TO THIS ORDER IS IN THE FORM OF CUT-TO-LENGTH SHEETS OF TISSUE PAPER WITH A WIDTH EQUAL TO OR GREATER THAN ONE-HALF (0.5) INCH. SUBJECT TISSUE PAPER MAY BE FLAT OR FOLDED, AND MAY BE PACKAGED BY BANDING OR WRAPPING WITH PAPER OR FILM, BY PLACING IN PLASTIC OR FILM BAGS, AND/OR BY PLACING IN BOXES FOR DISTRIBUTION AND USE BY THE ULTIMATE CONSUMER. PACKAGES OF TISSUE PAPER SUBJECT TO THIS ORDER MAY CONSIST SOLELY OF TISSUE PAPER OF ONE COLOR AND/OR STYLE, OR MAY CONTAIN MULTIPLE COLORS AND/OR STYLES. THE MERCHANDISE SUBJECT TO THIS ORDER DOES NOT HAVE SPECIFIC CLASSIFICATION NUMBERS ASSIGNED TO THEM UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). SUBJECT MERCHANDISE MAY BE UNDER ONE OR MORE OF SEVERAL DIFFERENT

SUBHEADINGS, INCLUDING: 4802.30; 4802.54; 4802.61; 4802.62; 4802.69; 4804.31.1000; 4804.31.2000; 4804.31.4020; 4804.31.4040; 4804.31.6000; 4804.39; 4805.91.1090; 4805.91.5000; 4805.91.7000; 4806.40; 4808.30; 4808.90; 4811.90; 4823.90; 4820.50.00; 4802.90.00; 4805.91.90; 9505.90.40. THE TARIFF CLASSIFICATIONS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES; HOWEVER, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE OF THIS ORDER ARE THE FOLLOWING TISSUE PAPER PRODUCTS: (1) TISSUE PAPER PRODUCTS THAT ARE COATED IN WAX, PARAFFIN, OR POLYMERS, OF A KIND USED IN FLORAL AND FOOD SERVICE APPLICATIONS; (2) TISSUE PAPER PRODUCTS THAT HAVE BEEN PERFORATED, EMBOSSED, OR DIE-CUT TO THE SHAPE OF A TOILET SEAT, I.E., DISPOSABLE SANITARY COVERS FOR TOILET SEATS; (3) TOILET OR FACIAL TISSUE STOCK, TOWEL OR NAPKIN STOCK, PAPER OF A KIND USED FOR HOUSEHOLD OR SANITARY PURPOSES, CELLULOSE WADDING, AND WEBS OF CELLULOSE FIBERS (HTSUS 4803.00.20.00 AND

4803.00.40.00).

### 3. SCOPE OF THE CIRCUMVENTION INQUIRY

THE PRODUCTS SUBJECT TO THIS CIRCUMVENTION INQUIRY ARE JUMBO ROLLS OF TISSUE PAPER THAT ARE EXPORTED FROM CHINA TO THE SOCIALIST REPUBLIC OF VIETNAM ("VIETNAM") WHERE THEY ARE CONVERTED, POSSIBLY DYED AND/OR PRINTED, INTO TISSUE PAPER PRODUCTS, AS DESCRIBED ABOVE IN THE "SCOPE OF THE ANTIDUMPING DUTY ORDER" SECTION. THIS INQUIRY ONLY COVERS SUCH PRODUCTS THAT ARE EXPORTED TO THE UNITED STATES BY VIETNAM QUIJIANG PAPER CO., LTD.

4. THE DEPARTMENT HAS PRELIMINARILY DETERMINED TO CONSIDER ALL ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD. THAT ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, TO BE PRODUCED FROM CHINESE-ORIGIN JUMBO ROLLS AND THUS SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM CHINA.

FOR ALL ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, THE DEPARTMENT IS ALLOWING VIETNAM QUIJIANG PAPER CO., LTD. TO PROVIDE A CERTIFICATE STATING THAT THE ENTERED PRODUCT WAS NOT PRODUCED FROM CHINESE-ORIGIN JUMBO ROLLS. THE CERTIFICATION IS ATTACHED AND CAN BE FOUND IN ATTACHMENT 1 OF THE FEDERAL REGISTER NOTICE (73 FR 21580). ANY ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG ON OR AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, ACCOMPANIED BY THIS CERTIFICATION SHALL NOT BE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM CHINA. ANY ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS ON OR

AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., THAT ARE NOT ACCOMPANIED BY THIS CERTAIN CERTIFICATION SHALL BE CONSIDERED SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM CHINA.

5. FOR IMPORTS OF CERTAIN TISSUE PAPER PRODUCTS THAT MEET THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY ORDER AS DESCRIBED ABOVE PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, UNITED STATES CUSTOMS AND BORDER PROTECTION ("CBP") SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS.

IN ADDITION, EFFECTIVE SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, CBP SHALL REQUIRE, FOR ALL ENTRIES PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., FROM SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, THAT ARE NOT ACCOMPANIED BY A CERTIFICATE STATING THAT NO CHINESE-ORIGIN JUMBO ROLLS WERE USED IN THE PRODUCTION OF THE ENTERED PRODUCT, A CASH DEPOSIT EQUAL TO MARGIN SHOWN BELOW:

MANUFACTURER/PRODUCER/EXPORTER	CUSTOMS ID NUMBER	MARGIN
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VIETNAM QUIJIANG		
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PAPER CO., LTD.	A-552-804-001	112.64
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6. FOR ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS THAT MEET THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY ORDER AS DESCRIBED ABOVE PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 5, 2006, THROUGH APRIL 22, 2008, AND ARE SET FOR LIQUIDATION NEED TO BE UNSET IMMEDIATELY.

7. SPECIAL NOTE-THE ACTUAL INITIATION DATE IS SEPTEMBER 5, 2006, AND THE PRELIMINARY DETERMINATION DATE IS APRIL 22, 2008. HOWEVER, IN ORDER FOR THE ACS MODULE TO ACCEPT THE CORRECT EFFECTIVE DATE FOR THE SUPENSION OF LIQUIDATION (SEPTEMBER 5, 2006), IT WAS NECESSARY TO LIST SEPTEMBER 5, 2006, AS BOTH THE EFFECTIVE DATE OF SUSPENSION OF LIQUIDATION AND THE DATE OF THE PRELIMINARY DETERMINATION. THIS IS DIFFERENT FROM THE DATES LISTED IN THE FEDERAL REGISTER NOTICE (73 FR 21580). IN

ADDITION, THE ACS MODULE REQUIRES THAT THE INITIATION DATE BE

AT LEAST ONE DAY PRIOR TO THE DATE OF THE PRELIMINARY DETERMINATION. THEREFORE, THE MODULE LISTS SEPTEMBER 4, 2006, AS THE INITIATION DATE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD

ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1394 (GENERATED BY O9: JEH).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

#### CERTIFICATION TO U.S. CUSTOMS AND BORDER PROTECTION

1. VIETNAM QUIJIANG PAPER CO., LTD. ("VIETNAM QUIJIANG") HEREBY CERTIFIES THAT THE CERTAIN TISSUE PAPER PRODUCTS BEING EXPORTED AND SUBJECT TO THIS CERTIFICATION WERE NOT PRODUCED FROM CHINESE ORIGIN JUMBO ROLLS.

2. BY SIGNING THIS CERTIFICATE, VIETNAM QUIJIANG ALSO HEREBY AGREES TO MAINTAIN SUFFICIENT DOCUMENTATION SUPPORTING THE ABOVE STATEMENT SUCH AS COUNTRY OF ORIGIN CERTIFICATES FOR ALL JUMBO ROLLS USED TO PROCESS THE EXPORTED CERTAIN TISSUE PAPER PRODUCTS. FURTHER, VIETNAM QUIJIANG AGREES TO SUBMIT TO VERIFICATION OF THE UNDERLYING DOCUMENTATION SUPPORTING THE ABOVE STATEMENT. VIETNAM QUIJIANG AGREES THAT FAILURE TO SUBMIT TO VERIFICATION OF THE DOCUMENTATION SUPPORTING THESE STATEMENTS WILL RESULT IN IMMEDIATE REVOCATION OF CERTIFICATION RIGHTS AND THAT VIETNAM QUIJIANG WILL BE REQUIRED TO POST A CASH DEPOSIT EQUAL TO THE CHINA-WIDE ENTITY RATE ON ALL ENTRIES

OF CERTAIN TISSUE PAPER PRODUCTS. IN ADDITION, IF THE  
DEPARTMENT OF COMMERCE IDENTIFIES ANY MISREPRESENTATION OR  
INCONSISTENCIES REGARDING THE CERTIFICATIONS, VIETNAM QUIJIANG  
RECOGNIZES THAT THE MATTER MAY BE REPORTED TO CUSTOMS AND  
BORDER PROTECTION BY THE DEPARTMENT FOR POSSIBLE ENFORCEMENT  
ACTION.

SIGNATURE:

PRINTED NAME:

TITLE:

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party